## Amendment Pursuant to 37 C.F.R. § 1.121

## IN THE CLAIMS:

The claims set forth below with amendments as indicated will replace all prior versions and listing of claims in the application.

# 1. (Currently amended) A compound of formula (1) or formula (2)

wherein:

X and Y independently are N or CH wherein at least one of X and Y is N;

#### Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, ex-

5-or 6-membered aromatic-heterocycle containing one or two-hetero atoms selected from the group-consisting of O, N-and S, and optionally substituted with one or more halogen, (C<sub>4</sub>-C<sub>4</sub>)alkyl, (C<sub>4</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub>

> wherein said alkyl may optionally form a 1 to 6 membered ring together with the heteroatom to which it is attached and an ortho earbon of said heterocycle wherein said 4 to 6 membered ring may optionally contain a second hetero-atom selected from the group consisting of O, S and N,

Z is H, 4-aminophenyl, SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub> wherein R<sub>3</sub> is (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl, Ar as defined above, (C<sub>2</sub>-C<sub>6</sub>)alkenyl or (C<sub>2</sub>-C<sub>6</sub>)alkynyl;

 $R_1$  is H,  $(C_1-C_4)$ alkyl,  $(C_3-C_6)$ cycloalkyl or Ar as defined above:

R' is H or (C1-C4)alkyl; and

when Z is H, R<sub>2</sub> is a selected from the group consisting of:

cyano,

- C(O)-ORa<sub>1</sub> wherein Ra<sub>1</sub> is methyl, ethyl or isopropyl,
- C(O)-NHRa<sub>2</sub> wherein Ra<sub>2</sub> is cyclopropyl.
- C(O)-N(Ra2), wherein N(Ra2) is aziridinyl or azetidinyl, optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,
- C(O)-N(Ra<sub>3</sub>)-ORa<sub>3</sub> wherein each Ra<sub>3</sub> may be identical or different and each Ra<sub>3</sub> is independently selected from the group consisting of methyl, ethyl or cyclopropyl,
- C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is Ar as defined above or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with  $(C_1-C_4)$  alkyl or Ar as defined above.

## C(Ra<sub>4</sub>)=N-Rb wherein:

Ra4 is H, Ar as defined above, or (C3-C5)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above, and Rb is  $(C_1-C_2)$ alkyl,  $(C_3-C_5)$ cycloalkyl, hydroxyl,  $(C_1-C_4)$ alkoxy, (C<sub>2</sub>-C<sub>4</sub>)alkenyloxy, or (C<sub>1</sub>-C<sub>4</sub>)alkylenoxy wherein (C<sub>1</sub>-C<sub>4</sub>)alkylenoxy optionally may be substituted with halogen or a group selected from the group consisting of carboxyl, (CH<sub>2</sub>)<sub>n</sub>Ar wherein n is 0 or 1 and Ar is as defined above,  $(C_1-C_4)$ alkoxy,  $NH_2$ ,  $NH(C_1-C_4)$ alkyl, and  $N((C_1-C_4)$ alkyl)<sub>2</sub> wherein said alkyls together with the heteroatom to which they

> are attached may optionally form a 3 to 6 membered ring which may optionally contain a second hetero atom selected from the group consisting of O, S and N,

NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C1-C4)alkyl or Ar as defined above,

NHRa<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C1-C4)alkyl or Ar as defined above, phenyl, and

5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms selected from the group consisting of O, N and S; and

when Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>, R<sub>2</sub> is carboxyl, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> or (C<sub>3</sub>-C<sub>5</sub>)cycloalkylamino; or

- a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures of the stereoisomeric forms thereof in any ratio; or
- a pharmacetically pharmaceutically acceptable salt of the compound of formula (1) or formula (2).
- 2. (Original) The compound according to claim 1 wherein Ar is phenyl, 4-fluorophenyl or 4-methoxyphenyl.
- 3. (Original) The compound according to claim 2 wherein R<sub>1</sub> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, phenyl or substituted phenyl.
  - 4. (Canceled).
- 5. (Currently amended) The compound according to elaim-4 claim 3 wherein R2 is C(O)-ORa1 and wherein Ra1 is (C1-C4)alkyl methyl, ethyl or isopropyl.

6. (Original) The compound according to claim 5 selected from the group consisting of:

ethyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate, isopropyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate, methyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate, ethyl 6-(R,S)-6-methyl-6-phenyl-6,7-dihydro-1H-indazole-3-

carboxylate,

ethyl 6-(+)-6-methyl-6-phenyl-6,7-dihydro-1H-indazole-3-

carboxylate,

ethyl 6-(R,S)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate, ethyl 6-(R)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate, ethyl 6-(S)-6-phenyl-6,7-dihydro-2H-indazole-3-carboxylate, ethyl 6,6-bis(4-methoxyphenyl)-6,7-dihydro-1H-indazole-3-

carboxylate,

ethyl 6-(R,S)-6-(3,4-dimethoxyphenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-carboxylate,

ethyl 6-(R,S)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-carboxylate,

ethyl (-)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-carboxylate,

ethyl (+)-6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazole-3-carboxylate,

ethyl 6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazole-3-carboxylate, and

ethyl 7-methyl-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxylate.

7. (Currently amended) The compound according to elaim 4 claim 3 wherein  $R_2$  is CORa4 and Ra4 is Ar or ( $C_3$ - $C_5$ )cycloalkyl.

8. (Original) The compound according to claim 7 selected from the group consisting of:

cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone,
cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone,
(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)phenylmethanone,
(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)-(1H-pyrrol-3-yl)methanone,

6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone,

- (-)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone,
- (+)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone, and cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-yl]methanone.
- 9. (Currently amended) The compound according to claim 4 claim 3 wherein R<sub>2</sub> is C(O)-NHRa<sub>2</sub>, C(O)-N(Ra<sub>3</sub>)-ORa<sub>3</sub> or C(O)-N(Ra<sub>2</sub>').
- 10. (Original) The compound according to claim 9 selected from the group consisting of:

N-(cyclopropyl)-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxamide.

azetidin-1-yl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone, (N-methoxy-N-methyl)-6,6-diphenyl-6,7-dihydro-1H-indazole-3-carboxamide, and aziridin-1-yl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone.

11. (Currently amended) The compound according to elaim 4 claim 3 wherein  $R_2$  is  $C(Ra_4)=N-Rb$ .

- 12. (Original) The compound according to claim 11 selected from the group consisting of:
  - (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl) methanone oxime,
  - (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl) methanone oxime,
  - (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-v)) methanone oxime,
  - (E,Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3yl)methanone oxime,
  - (E)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone oxime,
  - (Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone oxime.
  - (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3yl)methanone O-methyloxime,
  - (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3-yl)methanone O-methyloxime,
  - (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-2H-indazol-3-vl)methanone O-methyloxime,
  - (E,Z)6,6-diphenyl-6,6-dihydro-1H-indazole-3-carbaldehyde Omethyloxime,
  - (E, Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3yl)methanone O-allyloxime,
  - (E)cyclobutyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-allyloxime,
  - (Z)cyclobutyl(6,6-diphenyl-6,7-dihydro-1 H-indazol-3-yl)methanone O-allyloxime,

- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-allyloxime,
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-allyloxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-allyloxime,
- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-(2-methoxyethyl)oxime,
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone
- O-(2-methoxyethyl)oxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone
- O-(2-methoxyethyl)oxime,
- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-benzyloxime,
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-benzyloxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-benzyloxime,
- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-(4-nitrobenzyl)oxime.
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-(4-nitrobenzyl)oxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-(4-nitrobenzyl)oxime,
- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-(2-dimethylaminoethyl)oxime,
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone
- O-(2-dimethylaminoethyl)oxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-(2-dimethylaminoethyl)oxime,

- (E,Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-
- yl)methanone O-(2-fluoroethyl)oxime,
- (Z)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-(2-fluoroethyl)oxime,
- (E)cyclopropyl(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)methanone O-(2-fluoroethyl)oxime,
- (E,Z)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (E)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (Z)-6-(R,S)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (-)-6-(Z)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (-)-6-(E)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yf]methanone oxime,
- (+)-6-(Z)-cyclopropyl[6-(4-fluorophenyl)-6-phenyl-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (E,Z)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-yl]methanone oxime,
- (Z)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-yl]methanone oxime, and
- (E)cyclopropyl[6,6-bis(4-fluorophenyl)-6,7-dihydro-1H-indazol-3-yl]methanone oxime.
- 13. (Currently amended) The compound according to elaim 4 claim 3 wherein  $R_2$  is NH-C(O)Ra<sub>4</sub>.
- 14. (Currently amended) The compound according to claim 13 selected from the group consisting of:

ST01021 US CNT

-10 of 17-

> N-(6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl)cyclopropylamide, and N-[6,6-diphenyl-6,7-dihydro-1H-indazol-3-yl]benzamide\_

- 15. (Currently amended) The compound according to claim 4 claim 3 wherein R<sub>2</sub> is A<sub>F</sub> phenyl, pyridyl, oxadiazolyl or thiophenyl.
- 16. (Original) The compound according to claim 15 selected from the group consisting of:

3-(3-methyl[1,2,4]oxadiazol-5-yl)-6,6-diphenyl-6,7-dihydro-1Hindazole.

- 3,6,6-triphenyl-6,7-dihydro-1H-indazole,
- 6,6-diphenyl-3-pyrid-3-yl-6,7-dihydro-1H-indazole, and
- 6,6-diphenyl-3-thiophen-3-yl-6,7-dihydro-1H-indazole.
- 17. (Currently amended) The compound according to elaim 4 claim 3 wherein R2 is CN.
- 18. (Currently amended) The compound according to claim 14 claim 17 wherein the compound is 6,6-diphenyl-6,7-dihydro-1H-indazole-3-carbonitrile.
- 19. (Original) The compound according to claim 1 wherein Z is \$O₂R₃ or CORs.
- 20. (Original) The compound according to claim 19 selected from the group consisting of:

6,6-diphenyl-1-(4-toluenesulphonyl)-6,7-dihydro-1H-indazol-3ylamine and

1-(3-Amino-6,6-diphenyl-6,7-dihydroindazol-1-yl)propenone.

- 21. (Original) The compound according to claim 1 wherein Z is 4-aminophenyl.
- 22. (Original) The compound according to claim 21 wherein the compound is ethyl 1-(4-aminophenyl)-6,6-diphenyl-1H-indazole-3-carboxylate.

23. - 26. (Canceled).

27. (Withdrawn-Currently amended) A method for the treatment of tumors comprising administering to a patient in need of said treatment a therapeutically effective amount of a compound of formula (1) or formula (2)

$$R_1$$
 $R_2$ 
 $R_1$ 
 $R_1$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 

wherein:

X and Y independently are N or CH wherein at least one of X and Y is N;

Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, er

5 or 6 membered aromatic heterocycle containing one or two hetero atoms selected from the group consisting of O, N and S, and

optionally substituted with one or more halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring tegether with the heteroatem to which it is attached and orthe carbon of said heterocyclo wherein said 4 to 6 membered ring may optionally contain a second hetero atom-selected from the group consisting of O<sub>1</sub> S and N<sub>1</sub>

Z is H, 4-aminophenyl, SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub> wherein R<sub>3</sub> is (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl, Ar as defined above, (C<sub>2</sub>-C<sub>6</sub>)alkenyl or (C<sub>2</sub>-C<sub>6</sub>)alkynyl;

R<sub>1</sub> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl or Ar as defined above;

R' is H or (C1-C4)alkyl; and

when Z is H, R<sub>2</sub> is a selected from the group consisting of:

cyano,

- C(O)-ORa<sub>1</sub> wherein Ra<sub>1</sub> is methyl, ethyl or isopropyl,
- C(O)-NHRa<sub>2</sub> wherein Ra<sub>2</sub> is cyclopropyl.
- C(O)-N(Ra<sub>2</sub>'), wherein N(Ra<sub>2</sub>') is aziridinyl or azetidinyl, optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,
- C(O)-N(Ra<sub>3</sub>)-ORa<sub>3</sub> wherein each Ra<sub>3</sub> may be identical or different and each Ra<sub>3</sub> is independently selected from the group consisting of methyl, ethyl or cyclopropyl,
- C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is Ar as defined above or  $(C_3-C_5)$  cycloalkyl optionally substituted with  $(C_1-C_4)$  alkyl or Ar as defined above,

#### C(Ra<sub>4</sub>)=N-Rb wherein:

Ra<sub>4</sub> is H, Ar as defined above, or  $(C_3-C_5)$ cycloalkyl optionally substituted with  $(C_1-C_4)$ alkyl or Ar as defined above, and Rb is  $(C_1-C_2)$ alkyl,  $(C_3-C_5)$ cycloalkyl, hydroxyl,  $(C_1-C_4)$ alkoxy,  $(C_2-C_4)$ alkenyloxy, or  $(C_1-C_4)$ alkylenoxy wherein said  $(C_1-C_4)$ alkylenoxy optionally may be substituted with halogen or a group selected from the group consisting of carboxyl,  $(CH_2)_n$ Ar wherein n is 0 or 1 and Ar is as defined above,

> $(C_1-C_4)$ alkoxy, NH<sub>2</sub>, NH $(C_1-C_4)$ alkyl, and N $((C_1-C_4)$ alkyl)<sub>2</sub> wherein said alkyls together with the heteroatom to which they are attached may optionally form a 3 to 6 membered ring which may optionally contain a second hetero atom selected from the group consisting of O, S and N,

NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above.

NHRa<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C1-C4)alkyl or Ar as defined above,

phenyl, and

5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms selected from the group consisting of O, N and S; and

when Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>, R<sub>2</sub> is carboxyl, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> or (C<sub>3</sub>-C<sub>5</sub>)cycloalkylamino; or

- a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures of the stereoisomeric forms thereof in any ratio; or
- a pharmacetically pharmaceutically acceptable salt of the compound of formula (1) or formula (2).
- 28. (Withdrawn) The method of claim 27 wherein the therapeutically effective amount comprises an amount sufficient to inhibit microtubule polymerization.
- 29. (Withdrawn) The method of claim 27 wherein the therapeutically effective amount comprises a therapeutically effective endothelial cell detaching amount.
- 30. (Withdrawn) The method of claim 27 wherein the therapeutically effective amount comprises an amount sufficient to inhibit vascularization of said tumors.

31. (Withdrawn-Currently amended) A method for the treatment of cancerous cells comprising administering to a patient in need of said treatment a therapeutically effective amount of a compound of formula (1) or formula (2)

$$R_1$$
 $R_2$ 
 $R_1$ 
 $R_1$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 
 $R_1$ 
 $R_2$ 
 $R_3$ 
 $R_4$ 
 $R_4$ 
 $R_5$ 
 $R_7$ 
 $R_7$ 
 $R_7$ 
 $R_7$ 
 $R_7$ 

wherein:

X and Y independently are N or CH whorein at least one of X and Y is N;

Ar is:

phenyl optionally substituted with one or more substituents selected from the group consisting of: halogen, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkoxy, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NO<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl and N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein said alkyl may optionally form a 4 to 6 membered ring together with the heteroatom to which it is attached and an ortho carbon of the phenyl wherein said 4 to 6 membered ring may contain a second hetero atom selected from the group consisting of O, S and N, er

5-or-6-membered aromatic heterocycle-containing one or two hetero atoms selected from the group-consisting-of-O, N and S, and optionally substituted with one or more halogon, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>1</sub>-C<sub>4</sub>)alkyl, thio(C<sub>1</sub>-C<sub>4</sub>)alkyl, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> wherein-said-alkyl-may optionally form a 4-to-6-membered-ring together with the heteroatom to which it is attached-and an ortho carbon of said hoterosycle wherein said 4-to-6 membered ring may optionally-contain a second hetero atom selected from the group consisting of O, S and N,

Z is H, 4-aminophenyl,  $SO_2R_3$  or  $COR_3$  wherein  $R_3$  is  $(C_1-C_4)$ alkyl,  $(C_3-C_6)$ cycloalkyl, Ar as defined above,  $(C_2-C_6)$ alkenyl or  $(C_2-C_6)$ alkynyl;

R<sub>1</sub> is H, (C<sub>1</sub>-C<sub>4</sub>)alkyl, (C<sub>3</sub>-C<sub>6</sub>)cycloalkyl or Ar as defined above;

R' is H or (C<sub>1</sub>-C<sub>4</sub>)alkyl; and

when Z is H,  $R_2$  is a selected from the group consisting of:

cyano,

- C(O)-ORa<sub>1</sub> wherein Ra<sub>1</sub> is methyl, ethyl or isopropyl,
- C(O)-NHRa<sub>2</sub> wherein Ra<sub>2</sub> is cyclopropyl,
- C(O)-N(Ra<sub>2</sub>'), wherein N(Ra<sub>2</sub>') is aziridinyl or azetidinyl, optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,
- C(O)-N(Ra<sub>3</sub>)-ORa<sub>3</sub> wherein each Ra<sub>3</sub> may be identical or different and each Ra<sub>3</sub> is independently selected from the group consisting of methyl, ethyl or cyclopropyl,
- C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is Ar as defined above or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

### C(Ra<sub>4</sub>)=N-Rb wherein:

Ra<sub>4</sub> is H, Ar as defined above, or  $(C_3-C_5)$  cycloalkyl optionally substituted with  $(C_1-C_4)$  alkyl or Ar as defined above, and Rb is  $(C_1-C_2)$  alkyl,  $(C_3-C_5)$  cycloalkyl, hydroxyl,  $(C_1-C_4)$  alkoxy,  $(C_2-C_4)$  alkenyloxy, or  $(C_1-C_4)$  alkylenoxy wherein said  $(C_1-C_4)$  alkylenoxy optionally may be substituted with halogen or a group selected from the group consisting of carboxyl,  $(CH_2)_n$  Ar wherein n is 0 or 1 and Ar is as defined above,  $(C_1-C_4)$  alkoxy,  $NH_2$ ,  $NH(C_1-C_4)$  alkyl, and  $N((C_1-C_4)$  alkyl)<sub>2</sub> wherein said alkyls together with the heteroatom to which they are attached may optionally form a 3 to 6 membered ring which may optionally contain a second hetero atom selected from the group consisting of O, S and N.

NH-C(O)Ra<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>3</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with (C<sub>1</sub>-C<sub>4</sub>)alkyl or Ar as defined above,

> NHRa<sub>4</sub> wherein Ra<sub>4</sub> is H, Ar as defined above, or (C<sub>8</sub>-C<sub>5</sub>)cycloalkyl optionally substituted with  $(C_1-C_4)$ alkyl or Ar as defined above. phenyl, and

5 to 6 membered aromatic heterocycle containing 1 to 3 hetero atoms selected from the group consisting of O, N and S; and when Z is SO<sub>2</sub>R<sub>3</sub> or COR<sub>3</sub>, R<sub>2</sub> is carboxyl, NH<sub>2</sub>, NH(C<sub>1</sub>-C<sub>4</sub>)alkyl, N((C<sub>1</sub>-C<sub>4</sub>)alkyl)<sub>2</sub> or (C<sub>3</sub>-C<sub>5</sub>)cycloalkylamino; or

- a stereoisomeric form of the compound of formula (1) or formula (2), or mixtures of the stereoisomeric forms thereof in any ratio; or
- a pharmacetically pharmaceutically acceptable salt of the compound of formula (1) or formula (2),
- 32. (withdrawn) The method of claim 31 wherein the therapeutically effective amount comprises an amount sufficient to inhibit microtubule polymerization.
- 33. (Withdrawn) The method of claim 31 wherein the therapeutically effective amount comprises a therapeutically effective endothelial cell detaching amount.
- 34. (Withdrawn) The method of claim 31 wherein the therapeutically effective amount comprises an amount sufficient to inhibit vascularization of said cancerous cells.
- 35. (Original) A pharmaceutical composition comprising one or more compounds of formula (1) or formula (2) according to claim 1 and one or more pharmaceutically acceptable carriers, diluents, adjuvants or excipients.